

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: OFFICE OF CONSUMER ADVOCATE, Complainant, vs. AT&T COMMUNICATIONS OF THE MIDWEST, INC., Respondent.	DOCKET NO. FCU-03-2 (C-02-415)
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**ORDER GRANTING REQUEST TO WITHDRAW COMPLAINT
AND CLOSING DOCKET**

(Issued May 30, 2003)

On January 6, 2003, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed with the Utilities Board (Board) a complaint against AT&T Communications of the Midwest, Inc. (AT&T), alleging that AT&T violated Iowa Code § 476.103 regarding unauthorized changes in telecommunications services. Consumer Advocate requested that the Board commence an administrative proceeding pursuant to Iowa Code § 476.103 for the purpose of imposing civil penalties on AT&T for its alleged violation. The complaint has been identified as Docket No. FCU-03-2.

On January 21, 2003, AT&T filed a response to Consumer Advocate's complaint. Consumer Advocate filed a reply to AT&T's response on January 29, 2003.

On May 15, 2003, Consumer Advocate filed a request to withdraw its complaint. In support of the withdrawal, Consumer Advocate states that given the unique circumstances of this particular case, including the fact that the incident did not originate with AT&T, civil penalties should not be pursued. The Board will permit Consumer Advocate to withdraw its complaint and will close this docket.

IT IS THEREFORE ORDERED:

1. The request to withdraw the complaint filed on May 15, 2003, by the Consumer Advocate Division of the Department of Justice against AT&T Communications of the Midwest, Inc., is granted.
2. This proceeding, identified as Docket No. FCU-03-2, is closed.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 30th day of May, 2003.